



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

WEDNESDAY, November 23, 2011

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 201** offered by Representative A. Ott.

Assembly amendment 1 to **Senate Bill 100** offered by Representative Jacque.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 389

Relating to: the authority of a state agency to promulgate rules interpreting the provisions of a statute enforced or administered by the agency and to implement or enforce standards, requirements, and thresholds; elimination of gubernatorial approval of proposed administrative rules; economic impact reports of proposed rules; elimination of statements of scope for emergency rules; legislative review of proposed rules; legislative authorization for certain proposed rules; and venue in a declaratory judgment action seeking judicial review of the validity of an administrative rule.

By Representatives C. Taylor, Hebl, Bewley, Berceau, Fields, Grigsby, Roys, Sinicki and Turner; cosponsored by Senators Risser and Taylor.

To committee on **Judiciary and Ethics**.

Assembly Bill 390

Relating to: mortgage satisfaction.

By Representative D. Cullen; cosponsored by Senator Risser.

To committee on **Financial Institutions**.

Assembly Bill 391

Relating to: creating the Uniform Foreign Country Money Judgments Recognition Act.

By Representative D. Cullen; cosponsored by Senator Risser.

To committee on **Judiciary and Ethics**.

Assembly Bill 392

Relating to: eliminating deductions for moving expenses for businesses that move out of the state.

By Representatives Bewley, Milroy, Sinicki, Ringhand, Jorgensen, Bernard Schaber, Berceau, Hulsey, Mason, Pasch, Pope-Roberts and C. Taylor; cosponsored by Senators Hansen and Taylor.

To committee on **Jobs, Economy and Small Business**.

Assembly Bill 393

Relating to: voter intimidation or suppression, authorized activities at or near polling places, and providing a penalty.

By Representatives Berceau, Bewley, Pocan, Hebl, Turner, Roys, Sinicki, Grigsby and C. Taylor; cosponsored by Senators Taylor and Risser.

To committee on **Election and Campaign Reform**.

Assembly Bill 394

Relating to: voiding the annexation of territory in the town of Harrison in Calumet County by the city of Kaukauna.

By Representative A. Ott; cosponsored by Senator Lasee.

To committee on **Rural Economic Development and Rural Affairs**.

Assembly Bill 395

Relating to: acquisition of land in the Niagara Escarpment corridor.

By Representatives A. Ott, Ziegelbauer, Endsley, LeMahieu, Litjens, Spanbauer and Thiesfeldt; cosponsored by Senators Cowles and Schultz.

To committee on **Natural Resources**.

Assembly Bill 396

Relating to: relinquishing custody of a newborn child.

By Representatives Kooyenga, Turner, Milroy, Spanbauer, Jacque, Thiesfeldt, Ballweg, Stroebel, Craig, Brooks, Doyle, Toles, Rivard, Grigsby, A. Ott, Molepske Jr, Young and Endsley; cosponsored by Senators Lazich, Olsen, Grothman, Holperin and Galloway.

To committee on **Children and Families**.

Assembly Bill 397

Relating to: failing to report the death of a child or to report a missing child, moving the corpse of a child, hiding a corpse to collect public benefits, and providing penalties.

By Representatives Kerkman, Petryk, Pridemore, Endsley, Kleefisch, Spanbauer, Bernier, Petrowski, Bies, Brooks, Clark, E. Coggs, Craig, D. Cullen, Honadel, Jacque, Jorgensen, Kuglitsch, LeMahieu, Mason, Meyer, Mursau, Nass, A. Ott, Petersen, Rivard, Sinicki, Steineke, Strachota,

Tranel, Turner, Van Roy, Vos and Vruwink; cosponsored by Senators Lassa, Carpenter, Jauch, Darling, Holperin, C. Larson, Olsen, Schultz, Wanggaard and Wirch.

To committee on **Criminal Justice and Corrections**.

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 30
Assembly Bill 102

Presented to the Governor on Tuesday, November 22.

PATRICK E. FULLER
Assembly Chief Clerk

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

November 17, 2011

To the Honorable, the Assembly:

At the request of the Department of Safety and Professional Services and the Department of Administration, and in accordance with s. [13.94 \(1s\)](#), Wis. Stats., we have completed a financial audit of the State of Wisconsin Petroleum Inspection Fee Revenue Obligations Program for the fiscal years ending June 30, 2011, and June 30, 2010. We have provided our unqualified audit opinion on the Statement of Changes in Program Assets. The Department of Safety and Professional Services' responsibilities related to this program were performed by the former Department of Commerce through the end of fiscal year (FY) 2010-11.

Under the program, the State was authorized to issue \$386.9 million in revenue bonds and commercial paper to provide financing for payment of claims under the Petroleum

Environmental Cleanup Fund Award (PECFA) program. These revenue obligations are not general obligation debt of the State. Instead, they are to be repaid primarily from the \$0.02 per gallon fee charged to suppliers of petroleum products sold in Wisconsin. As of June 30, 2011, a total of \$188.7 million in revenue obligations remained outstanding, including \$117.5 million in revenue bonds and \$71.2 million in commercial paper.

The State collected \$73.8 million in petroleum inspection fees during FY 2010-11. Because the State refinanced a portion of the program's outstanding revenue obligations during FY 2009-10, only \$5.9 million of the inspection fees needed to be retained by the program for debt service and other costs during FY 2010-11. This allowed \$67.9 million of inspection fees to be deposited to the Petroleum Inspection Fund, of which \$8.8 million was used to pay PECFA claims. The remaining \$59.1 million was used for a variety of purposes, including transfers authorized in [2009 Wisconsin Act 28](#) of \$24.1 million to the Transportation Fund and \$9.2 million to the General Fund. In addition, \$4.8 million was transferred to the General Fund to meet lapse requirements under [2009 Wisconsin Acts 2 and 28](#).

[2011 Wisconsin Act 32](#), the 2011-13 Biennial Budget Act, authorized the transfer of \$25.8 million from the Petroleum Inspection Fund to the Transportation Fund during each year of the 2011-13 biennium. To ensure funding is available for these transfers, the spending authority in the appropriation used to pay PECFA claims was reduced from \$9.1 million for FY 2010-11 to \$4.6 million for each year of the 2011-13 biennium. A balance is expected to remain in the fund through the biennium. However, if PECFA claims exceed the amounts appropriated, a backlog will likely develop and related interest costs will be incurred. The Department of Safety and Professional Services indicated that it may seek increased appropriation authority to avoid a backlog.

We appreciate the courtesy and cooperation extended to us during our audit by staff of the departments of Safety and Professional Services, Administration, and Revenue.

Respectfully submitted,
JOE CHRISMAN
State Auditor